

# Australian First Nations University: A discussion on the establishment of an Aboriginal university

Errol West

James Cook University of North Queensland

For over fifteen years, Aborigines who are conscious of the importance of education have been discussing the establishment of an Aboriginal University. The Interest Group accepts that attainment of Western education is very important to Aborigines, however, it is essential to combine Aboriginal cultural knowledge and mores with such education.

The Interest Group members are Errol West, Colin Bourke, Bob Morgan and Eleanor Bourke. This small group of people, all of whom are Aborigines with many years experience in general education, Aboriginal education and the politics of Aboriginal education, now desire to open a public debate, not on the need for an Aboriginal University, but on the model and the administrative operations required to achieve the Australian First Nations University (AFNU).

It is important to feel relaxed about the working title the Interest Group has given the University. One of the main reasons for selecting the title we did has to do with racism. Many people will oppose the notion of the University because of the connotations of "Aboriginal" or "Black" inferring a ghetto arrangement. This is not so and the working title should help overcome some of the likely immediate rejections that are, in my view unavoidable, though answerable.

I am conscious of the likely difficulties we face in raising the matter of a separate University for Aborigines in Australia, however, there are matters more pressing than negative responses. At the outset, I want to discuss several likely negative responses that are amongst the many the Interest Group has or will discuss:

- Is an Aboriginal University likely to be a ghetto?
- Does every Aborigine want an Aboriginal University?
- Are the standards going to be lower?
- Will the graduates be accepted and recognised by mainstream institutions?
- Is the establishment of an Aboriginal University racist?
- Are they (Aborigines) qualified enough to run a "real" University?

Clearly there are additional responses though these generally relate to two matters, they are:

- money and,
- power

For a long time (around 150 years) Aborigines have been in oppressive situations established by governments, government agencies and church groups. Aborigines have had their circumstances "handled" by various policies, programs, and legislation, and most of the resulting practices have been managed by non-Aborigines.

Not coincidentally, the same practices and circumstances are managed largely by people from the same group today. Many people have spoken to me recently regarding the AFNU. Almost without exception

I have been cautioned to ensure the discourse and negotiations are "non-threatening". Some of the wisest counsellors from within the Aboriginal education movement have also cautioned me. However, I am conscious of one matter in particular; that the establishment of the AFNU is in higher education attainment for Australian Aborigines. I find it difficult to accept that a powerless group seeking equity and freedom of education is threatening.

Before proceeding to discuss a model which is very likely to work, I would like to address the six negative responses mentioned above.

## Is an Aboriginal University likely to be a ghetto?

For many years we have discussed the various options regarding the "ghetto" question. It is interesting that the enclave\* program (which isolated the entire group of Aboriginal students) was generally acceptable; is this because the enclaves were not "run" by Aborigines but rather by non-Aborigines? A ghetto in higher education (or any other area) established by Aborigines is the furthest thing from the minds of the Interest Group. It is important to remember that while we want Western education, we do not want it at the expense of our identity or our culture. As indicated above, I will later discuss at least one model for the AFNU. This discussion will demonstrate the plan is for self-management in the context of the Unified National System - not a ghetto.

## Does every Aborigine want a University?

There is an interesting phenomenon in the politics of the "Aboriginal Industry". The bureaucrats (almost without question non-Aborigines) insist on what they call "the community opinion" or "view" on almost every matter prior to them acting with regard to a program or a policy. In fact, almost every program is predicated upon the notion of "uniformity of opinion". There is no social group in the world of human-kind that is unanimous in their views or opinions on every matter put before them. However, in Australia, bureaucrats especially, retard the development factors of Aborigines by insisting on a single opinion before they act. The real tragedy is that some of the Aboriginal leadership also subscribe to this phenomenon. For some reason diverse opinion amongst Aborigines is considered a "bad thing" because such diversity is interpreted as us "not being able to get our act together" - worrying isn't it?

It is important to recognise that in Aboriginal Australia it is not only reasonable to have differing views, it is imperative, if we are to grow and develop. This discourse on the AFNU is an example of the quality and benefit of such diversity of thinking. The major problem we face is that when we seek something that is in our view, a "next logical step", the powers that be find some Aborigines who disagree with us and as a result refuse to permit us to proceed because of the absence of the "unified view".

## Are the standards going to be lower?

To aim for an institution which is not able to successfully compete with its contemporaries is to "sell out" on the intellectual excellence and spiritual capabilities of Aborigines. If there is a minority group in Australia that deserves commendation for wanting and working for excellence, it is Aborigines. Imagine the conflicts that assume permanent residence in the psyche of Aborigines, given the historic records of white Australia regarding the treatment of Aborigines since the invasion, yet sees that same group negotiate (in education at least) out of the ghetto.

Australian Aborigines are amongst the most sophisticated thinkers in the Universe, do not be fooled by the symptoms of oppression. To look for the quality of life in Aboriginal Australia, one must look past the "symptom phenomenon". The quality of life we have is not free from the trappings of the troubles and ascription of the social hierarchy that constructs Australian society as we know it.

## Will the graduates be accepted and recognised by mainstream institutions?

Any institution that is recognised under the Federal Higher Education Funding Act must meet the unified system's standards. Why would we want anything less? The advantage to indigenous and non-indigenous students resides in the acceptability of the conferred degrees and the standards of research and teaching. There is no suggestion that the AFNU would not develop relationships with other universities and enter into the usual cross articulation of degrees as well as develop its own degrees. There is no suggestion that the AFNU would be exclusively enrolled from Aboriginal Australia or from the people from the Torres Strait Islands. What will occur is that there will be a majority of Aborigines and Torres Strait Islanders while the need lasts. There is considerable benefit for all Australians in establishing the AFNU, in the first instance one could conceivably learn what one wanted from the owners of the culture rather than what happens at present, non-indigenous people teach Aboriginal cultural and esoteric knowledge without reference to the traditional owners other than to claim a "skin name". The opportunity to learn directly from the historian is too good an opportunity to pass up.

In fact, the general thrust of all policies regarding the teaching of Aboriginal studies for the past two decades has been to ensure that just that orientation occurs. The AFNU is able to ensure this result.

In the end, the declaration of the AFNU under the Act will ensure standards are no lower than at any other university in the country.

## Is the establishment of an Aboriginal University racist?

The view of the Interest Group is that it is racist not to establish an Aboriginal University and we are not alone in sharing this view.

The reality is this; if one decides to undertake a set of specific humanitarian actions, to relieve oppression, on behalf of or, towards another group of people and those actions are motivated because of the racial origins of the target group, is it then not called (amongst other things) affirmative action? It is the Interest Group's view that if something is to be done, based on the recipients' racial origins, then so be it. When the group does it to itself, should not this action be called self-determination? And, when the group decide to control the administration of those actions is this not called self-management? Are not the Federal Government's and the Federal Opposition's Aboriginal and Torres Strait Islander policies premised upon self-management and self-determination?

Recognise that there is considerable discourse yet to be undertaken before the AFNU becomes a reality. There will be many forums available to permit broad and frank debate. The important matter that is not up for debate is the need for such an institution.

## Are they (Aborigines) qualified enough to run a "real" University?

The question of our qualifications is always one of the first asked.

It is as though non-indigenous societies believe they have a franchise on intellectual excellence and administrative competence. The Interest Group, like many of our supporters (Aboriginal and Non-Aboriginal) recognise that while there is a level of knowledge in the cultures of management at the most senior levels of universities, we believe that, with support from the current Unified National System's managers, we will succeed.

For decades Aborigines have been excluded from participating at the highest levels of administration (generally, though certainly in universities) and we have hardly, if ever, been included by any systems in the pursuit of excellence. We believe there are a number of Aborigines who are and continue to prove themselves as successful managers, often against all the odds. Many of these people work at various levels in universities at present.

One of the strongest traits we have is the ability to recognise what we do not know, as a consequence we are seeking advice and input from a number of sources. These groups are amongst the most aware, in terms of university structures and operations and we expect that many of the potential pitfalls will be avoided. Again, it must be remembered that simply because one has never tried or undertaken an action previously, it does not mean that one should not try and that one will not succeed.

Finally, the Aborigines who are likely to be involved with the administration and the teaching in the AFNU will all have been trained from within our own cultures and many, especially the teachers of the bicultural courses (Aboriginal and Western pedagogics) will also be graduates from the Western education system. It is merely a case of applying the quality and excellence of a dual educational experience.

## An illustrative model

One of the most perplexing issues we have debated over the years is in regard to the actual site of an Aboriginal university. While there are a number of models that will be canvassed, I would like to discuss one model and ask readers to remember that it is only ONE model. We have not canvassed widely to date on alternative views. The Interest Group's view is that we need to undertake our usual processes in consultation prior to settling on a particular model. I think it is important to recognise that we will always retain the flexibility to modify and improve whatever model we finally begin with.

There is probably little flexibility in the actual management infrastructure as there are particular matters that are set down in the Act that prescribe and describe the management processes. The principle efficacy of the AFNU lies in its being an alternative that does not yet exist. Another strength resides in the capacity for the AFNU to be truly bicultural. It is important to recognise that irrespective of the final model agreed upon, the AFNU will not be outside the Unified National System.

## Background to the illustrative model

The best description of the illustrative model is that of a multi-campus operation. At present we have Aboriginal Education units/centres on most university campuses across Australia. Each of these units usually operate in isolation from their reflectors based in other universities. This situation presents a number of significant difficulties, some of these are:

- duplication of basic planning and management strategies.
- duplication of basic access programs and courses such as Aboriginal studies.
- lack of access to innovative programs (some units have very innovative programs that should be available to all Aborigines and communities).
- lack of a cohesive national approach to higher education. The NAEF is a funding mechanism not an education policy.
- minimisation of funding usage. Most of the funding is not delivered to the units. Approximately \$56m is expended by the federal

government per annum, we understand that most of this is not reaching the units.

- participation of Aboriginal expertise and the creation of a culture of competition between units and between states. This phenomenon results in envy and unhealthy division.
- the denial of the opportunity to concentrate our elders, our thinkers, our planners and our communities in the context of higher education maximisation nationally.
- the present situation does not allow Aborigines to readily develop a contemporary and functional national perspective and to be able to identify with that posture, while at the same time, permitting the retention of the traditional independence groups required to operate as a cultural entity (in the context of clans, families or groups). The present circumstances do not permit the development of a First Nations profile on matters of national, generic importance, for example an AFNU.

The illustrative model, as must the final model, proposes a structure that answers all of the matters discussed in the preceding discourse as well as the immediate matters raised above. The illustrative model, as outlined below is clearly not comprehensive, it is however, a base from which to begin consultation and planning.

Essentially the illustrative model proposes the following:

- amalgamation of all of the existing Aboriginal Education units/centres on all campuses across Australia, there are 37 higher education institutions in Australia receiving Aboriginal participation funding from DEET.
- recognition of the AFNU as a bona fide university under the Federal Higher Education Funding Act.
- centralisation of all funding presently distributed to all of the universities across Australia.
- establishment of a standard university management infrastructure and the establishment of an appropriate administrative and academic staff structure.

• retention of all existing community based consultative relationships (management/advisory committees or councils).

• establishing for the first time in the history of Australian higher education a true and sustainable act of self-management and self-determination.

### Conclusion

The Australian First Nations University is achievable because the blueprint is in place. The existing operators in Aboriginal higher education will not lose any of the daily operating autonomy, in fact, that autonomy will increase as each operation is likely to be designated at a faculty level and the success of the faculty will depend upon the on-site managers and their community advisory committee of council.

The cross articulation of degrees, diplomas and certificates with other universities will demonstrate the AFNU contribution to the national higher education sector as one of quality and excellence. The existence of AFNU degrees, diplomas and certificates will also assist in the reconciliation process by informing all students of the complex cultures and aspirations of Australian indigenous peoples.

It is my view and I believe the Interest Group share it, that the only reason that we will not achieve the establishment of the Australian First Nations University will be because we fail to see the effort as being for the good of the greater number.

The illustrative model is not being espoused as the only model nor is the debate on the model closed. We need to have serious discourse and significant negotiations as well as achieve recognition under the Federal Government's Higher Education Funding Act. Once that is achieved, the only way to go is forward.

### Notes

\* Interestingly defined in Collins English Dictionary - Australian Edition edited by G.A. Wilkes 1986 as "enclave" - n. a part of a country entirely surrounded by foreign territory ..."

# 'Consent' or 'coercion'? Removing conflict of interest from staff-student relations

Carol Bacchi

University of Adelaide

A number of recent articles, some by feminists, have expressed concern about proposals which attempt to limit staff-student sexual involvement. Some say attention is now inappropriately focussing on sex, rather than sexism. Others express the view that attempts to control such relationships infantilise female students, many of whom are mature age, by denying them the opportunity to make decisions about how they live their lives. Some add the more quixotic qualm that such rules create an atmosphere which is anaemic and which denies the reality that 'knowledge is sexy' (Gallop, 1993; Modjeska, 1993; Wark, 1993). The spate of comments along these lines joins forces with the kind of argument developed by Kate Roiphe that feminism has created a victim mentality for women which is itself disempowering (Roiphe, 1993).

In this paper I attempt to refocus the cause of concern in staff-student sexual relationships, about which I hope there will be some agreement. This I take to be the need to have procedures to handle conflict of interest cases.<sup>1</sup> A second goal of equal importance is to find ways to empower students to use sexual harassment provisions. I will also show how some of the current discussion, much of which is media-driven, creates straw persons which deflect attention from these critical issues.

The title of my paper places the key words 'consent' and 'coercion' in scare quotes to problematise the discourse of sexuality which represents these as women's 'options' (Fudge, 1989). As Carole Pateman perceptively notes, the whole idea that legitimate sex depends upon the woman's 'consent' reproduces a range of assumptions about gender roles, with the male the sexual aggressor and the woman compliant (Pateman, 1989, p.84). We clearly need to finesse our understanding of what is meant by sexual 'choice'. Highlighting the need to remove conflict of interest from staff-student relations will, I argue, expand women's potential to define the kinds of relationships they want.<sup>2</sup>

### 'Where does "consent" end and harassment begin?'

In 1992 I published an article with the above title in *The Australian Universities' Review* (Volume 35, Number 1). In that paper I explained that my chief motivation for addressing the issue of staff-student sexual relationships was my desire to empower students with harassment problems. My experience on the Sexual Harassment Committee of the University of Adelaide in 1989 and 1990 convinced me that students were reluctant to use the complaint mechanisms, even when efforts are made to provide less formal points of access through contact officers. Students still doubted that their complaint would be dealt with fairly.

There is considerable evidence that there is a vast disparity in the general community between the experience and the reportage of sexual harassment.<sup>3</sup> And surveys indicate that often this is because the woman either fears victimisation or believes that her complaint will not be addressed seriously. Both these problems are evident in staff-student interactions since staff are well placed to punish students who challenge them, and since staff hold positions of power in the institutions where the complaint would be handled. It has been argued that the organisational structure of academia which stresses academic au-

tonomy makes it even more difficult to question or monitor staff behaviour.<sup>4</sup>

An additional reason students are unlikely to make complaints, as I argued in 1992, is due to the ambiguity surrounding the nature of sexual relationships between staff and students. Given the tacit acceptance of romantic affiliations between staff and students, the student complainant would face a situation where she would need to prove that the approach from the academic had somehow been 'unacceptable', and where it would only be her word against the staff member's that such was the case.

In response to that situation, I proposed a two-part model for regulations to govern staff-student consensual sexual relations. Under the first part, it would be held to be unethical for academics to have sexual relationships with students for whom they were professionally responsible. This would include marking and/or supervision responsibilities. In these cases, other staff members would have a moral and ethical obligation to report such cases should they become aware of them. I would now specify that other students could report such cases since their interests could be involved. Under the second part, I had proposed that there would be a general understanding that all staff-student sexual relationships are unethical and unacceptable, but crucially in these cases, action against the offending staff member could be taken only by the student concerned.

Here I am proposing to refine my model by focussing on the question of conflict of interest. The model retains two parts. The first remains substantially the same. It suggests that codes of teaching practice make it clear that it is incumbent upon academics who find themselves in conflict of interest relationships, or conflict of interest situations due to prior relationships, to make arrangements to remove the conflict of interest. This could mean having others do the marking or share the supervision, where alternative supervision arrangements are unavailable, and/or removing themselves from processes of evaluation where their sexual relationship (or previous sexual relationship) with one of the candidates in a cohort could compromise or be seen to compromise their judgment.<sup>5</sup>

The second part of my proposal narrows the parameters from all staff/student sexual relations to the unethical nature of advances<sup>6</sup> by staff members where there would be a conflict of interest, on the grounds that the power (of evaluation, supervision, etc.) which would constitute the conflict of interest could reasonably be experienced as intimidating. As in the 1992 article, only the student concerned could protest if such an approach were made. Clearly if she welcomed the approach, no protest would be lodged. The sexual relationship would still be unethical, however, until the conflict of interest were removed.

In this model women students are empowered in several ways. First, students would feel freer to draw cases of sexual harassment to the attention of authorities in a situation where it was accepted that first advances by academics to students, with whom there would exist a conflict of interest, are unacceptable. In fact, as will be discussed below, these advances would themselves constitute sexual harassment, if they intimidated the student concerned. Second, students could, as mentioned, take up the proposal of a sexual relationship, and proceed to remove the conflict of interest. And, third, they could initiate the relationship. In this case, the student's approach would not be unethical (since students do not hold the same kind of power over